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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,248	01/12/2004	Daryl Austin	91355.118903	9660

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EXAMINER

NGUYEN, TRINH T

ART UNIT	PAPER NUMBER
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3644

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/755,248

Applicant(s)

AUSTIN ET AL.

Examiner

Trinh T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Election on 1/18/05.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 16-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 13 is/are rejected.
- 7) ☐ Claim(s) 11, 12, 14 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/22/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 1-15 in the reply filed on 1/18/05 is acknowledged.
2. Claims 16-18 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "45" has been used to designate both the lower surface and the vertical coupler turret. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1: the language as claimed is confusing since there is a mixture of apparatus and method limitations within the claim and it is not understood what is being claimed (i.e., the structure ^{limitations} of the apparatus or the method steps of the apparatus) (it is noted that for the purpose of this Office Action, the Examiner is interpreting claim 1 as an apparatus claim and not a method claim); furthermore, it is noted that the recitations such as "for removing soiled bedding", "for detecting said at least one of said cage components", and "for removing said at least one of said cage components" do not further limit to any patentable sense since the recitations are not positive limitations but only require the ability to so perform, it is suggested that the claim be amended to positively claimed the limitation.

In claim 7: the language "a sufficient distance to cause said at least one of said cage components... to become inverted" is confusing since it is not understood how this "sufficient distance" causes the cage components to become inverted?

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 1-10, and 13, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (as set forth in lines 10-23 of page 1, lines 1-23 of page 2, and lines 1-5 of page 3 of the specification; hereinafter is referred to as AAPA) in view of visTRAC system by Fanuc Robotics (hereinafter is referred to as visTRAC).

AAPA discloses that it is old and well known to provide an apparatus for cleaning animal cage components comprising: a soil side robot for removing soiled bedding from at least one of said cage components; a clean side robot for removing said at least one of said cage components from said re-grip station.

AAPA lacks 1) an optical arranger robot system for detecting the work parts wherein the optical arranger robot system further comprises an optical eye, an encoding device, and an optical arranger robot and the optical eye transmits a video signal presenting the position of the work parts in a predetermined area to an encoding device, and the encoding device converts the video signals into a command signal suitable for directing the optical arranger robot to grasp the work parts and place the work parts on a station; and 2) at least one of said soil side robot and said clean side robot is movably mounted on a horizontal track.

Regarding 1), VisTRAC teaches the concept of using an optical arranger robot system for detecting work parts on moving conveyor system wherein the optical arranger robot system further comprises an optical eye, an encoding device, and an optical arranger robot and the optical eye transmits a video signal presenting the position of the work parts in a predetermined area to an encoding device, and the

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encoding device converts the video signals into a command signal suitable for directing the optical arranger robot to grasp the work parts and place the work parts on a station. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the apparatus of AAPA so as to include an optical arranger robot system, in a similar manner as taught in VisTRAC, in order to detect work parts on moving conveyor system.

Regarding 2), VisTRAC teaches the concept of using a robotic system to sort and/or pick up and/or place work parts by allowing the robot to move about within an allocated space to track work parts (it is noted that the Examiner is interpreting that the robot is movably mounted/move about on a horizontal track/allocated space). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the apparatus of AAPA so as to include a movably mounted robotic system, in a similar manner as taught in VisTRAC, since to do so would allow the robot to sort and/or pick up and/or place work parts more efficiently and quickly.

For claim 2, AAPA as modified by visTRAC (emphasis on AAPA) further discloses the tunnel washing system is a continuous driven conveying belt tunnel wash system.

For claim 3, AAPA as modified by visTRAC (emphasis on AAPA) further discloses a clean bedding dispenser for adding bedding material to said at least one of said cage components that have passed through said tunnel washing system.

For claim 4, AAPA as modified by visTRAC (emphasis on AAPA) further discloses an inline bedding conveyer (it is noted that the Examiner is interpreting the

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conveyer, as described in lines 8-11 of page 2 of the specification, as an inline bedding conveyer) but lacks the teaching where the inline bedding conveyer is located adjacent to the tunnel conveyer and the optical arranger robot system. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the apparatus of AAPA as modified by visTRAC so that the inline bedding conveyer is located adjacent to the tunnel conveyer and the optical arranger robot system, since it has been held that rearranging parts of an invention involves only routine skill in the art.

For claim 5, AAPA as modified by visTRAC (emphasis on AAPA) lacks an inline tunnel type conveyorized bedding dispenser. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the apparatus of AAPA as modified by visTRAC so as to include an inline tunnel type conveyorized bedding dispenser, since to do so would allow disposable beddings to be dispensed properly.

For claim 6, it is noted that the inline bedding conveyer of AAPA as modified by visTRAC (emphasis on AAPA) inherently comprises a receiving end and a dispatch end but lacks the teaching where the receiving end of the inline bedding conveyer is positioned a distance below the tunnel conveyer. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the apparatus of AAPA as modified by visTRAC so that the receiving end of the inline bedding conveyer is positioned a distance below the tunnel conveyer, since it has been held that rearranging parts of an invention involves only routine skill in the art.

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For claim 7, as best understood, AAPA as modified by visTRAC (emphasis on AAPA) further discloses the distance between said tunnel conveyer and said receiving end of said inline bedding conveyer is a sufficient distance to cause said at least one of said cage components progressing from said tunnel conveyer to said inline bedding conveyer to become inverted.

For claim 10, it is noted that the soil side robot of AAPA as modified by visTRAC (emphasis on AAPA) inherently comprises a robotic arm assembly having a base but lacks a stationary mounting section having a track. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the apparatus of AAPA as modified by visTRAC so as to include a stationary mounting section having a track, since to do so would allow the robot to move about more efficiently and easily.

Allowable Subject Matter

8. Claims 11, 12, 14, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as cited on PTO-form 892.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trinh T Nguyen whose telephone number is (703) 306-9082. The examiner can normally be reached on M-F (9:30 A.M to 6:00 P.M).

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The examiner's supervisor, Teri Luu can be reached on (703) 305-7421. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Trinh T Nguyen
Patent Ex.
Art Unit 3644
4/14/05